

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

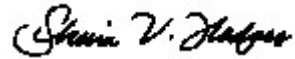
Oscar Rivera Lobo,	)	C/A No.: 1:11-254-JMC-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	REPORT AND RECOMMENDATION
	)	
Sgt. Norman; Allen Tinasley; Sgt.	)	
Bambridge; John Doe, Officer; Jane	)	
Doe, Officer,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff, proceeding pro se and in forma pauperis, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. Defendants filed a motion for summary judgment on August 1, 2011. [Entry #42]. As Plaintiff is proceeding *pro se*, the court entered an order on August 2, 2011, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of a motion for summary judgment and of the need for him to file an adequate response. [Entry #43]. Plaintiff was specifically advised that if he failed to respond adequately, Defendants' motion may be granted, thereby ending this case. Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to the motion.

On September 8, 2011, the court ordered Plaintiff to advise whether he wished to continue with the case by September 22, 2011. [Entry #47]. Plaintiff has filed no response. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, the undersigned recommends this action

be dismissed with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO RECOMMENDED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

September 23, 2011  
Florence, South Carolina

Shiva V. Hodges  
United States Magistrate Judge